

UNITED STATES DISTRICT COURT
Northern DISTRICT OF NEW YORK

Jonathan E Rizzo,
16A3374 Plaintiffs,

-against-

New York State,
Defendants,

AMENDED
COMPLAINT

Under the
Civil Rights Act, 42 U.S.C. § 1983

Jury Trial: Yes ☐ No ☐

I. Parties in this complaint:

A. Plaintiff

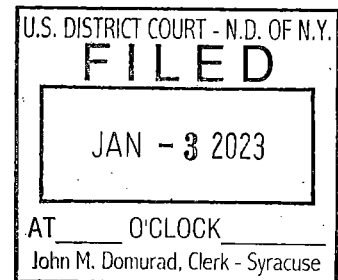
Jonathan Rizzo
16A3374
Upstate Correctional Facility
P.O. Box 2001
Malone, NY 12953

B. Defendant(s)

No. 1 Officer
Vladimir Bugayev
Correctional officer
Working on the Day
Extraction took place

No. 2 Officer
Adam Sathworth
Correctional officer
Working on the day
Extraction took place

No. 3 Officer
Seth Mulverhill
Correctional officer
Working on Day Extraction
took place



Officers involved
in Extraction
where i was
injured

No. 4 Officer
Aaron Mitchell
Correctional officer
Working on the day
the extraction took place.

No. 5
Sergeant Jarrod
Bullock
- Sergeant working
on the day extraction
took place

II. Statement of Claim:

A. In what institution did the events giving rise to your claim(s) occur?

Upstate Correctional Facility
P.O. Box 2001
Malone NY 12953

B. Where in the institution did the events giving rise to your claim(s) occur?

Upstate Correctional Facility; 9 Building; A1 gallery
19 cell.

C. What date and approximate time did the events giving rise to your claim(s) occur? On January 23, 2022 - Approximately
9:43 Am.

D. **Facts:** On January 23, 2022. I was badly injured
by multiple Correctional officers during an
extraction where excessive force was used and
was unnecessary. Before the officers entered I
was pepper sprayed four times which that alone
made me no threat. They came in with a shield
rammed me into the wall; I collapsed. They stomped,
kicked, punched and slammed my head against
the floor multiple times. Not once during this was
I a threat nor did I resist. Excessive force
was not needed

As a result My injuries Consist of pain to the neck, Back, left side Rib Cage And Right side face.

My Right eye was black and blood closed shut with a gash that needed outside medical treatment to be glued shut. I now have a permanent Scar on the Right Side of my face below My Right eye Brow.

III. Injuries:

Injuries Consist of pain to the neck, Back, left side rib Cage, and right side face. My Right eye was Black and blood closed shut. With a gash that needed outside medical treatment to be glued shut. I now have a permanent Scar on the Right Side of my face below My Right eye Brow.

IV. Exhaustion of administrative Remedies:

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☒ No ☐

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

I was in Upstate Correctional facility On January 23 2022. Housed in 9 Building A1 Gallery 19 Cell. Approximately 9:43 Am.

B. Does the jail, prison, or other Correctional Facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☒

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claim(s)

Yes ☐ No ☐ Do Not Know ☒

If YES, which claim(s)? There is only one claim made.

D. Does the grievance procedure at the jail, prisons, or other Correctional facility where your claim(s) arose not cover some of your claim(s)?

Yes ☐ No ☐ Do Not Know ☒

If YES, which claim(s)?

E. Did you file a grievance in the jail, prisons, or other correctional facility where your claim(s) arose?

Yes ☒ No ☐

F. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

I sent multiple grievances to "Grievance Office". However i never recieved no Responce I believe My Mail
 1. Which claim(s) in this complaint did you grieve? There is only one is Not complaint *I explained everything that took place. Making it too place, what happen, How i was wrongly treated & Hurt the grievance*

2. What was the result, if any? They told me that they were going to investigate my grievance but I never heard from them again.

I NEVER HEARD from them at all.

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to highest level of he grievance process.

G. If you did not file a grievance, did you inform any officials of your claim(s)?

Yes ☐ No ☐

1. If YES, whom did you inform and when did you inform them?

I spoke with IG far Days Later. They Pulled

2. If NO, why not? I did not file a claim until later when I realized that *Me to speak w/ Me.*
 would suffer continuous chronic back pain.

I. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

V. Relief:

I want to Be Payed
(Three hundred thousand Dollars) And
I want the Court to also order the prison
to hand over to the Court and to Me
a Copy of everything they have on Record
pertaining to this issue ~~FREE~~ FREE of charge.

VI. Previous lawsuits:

A. Have you filed other lawsuits in state and federal court dealing with the same facts involved in this action?

Yes ___ No ☒

B. N/A

D. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ___ No ☒

E. N/A

Signed this 14 day of December. I declare under penalty of perjury that the foregoing is true and correct.

Signature of Plaintiff

Jonathan E Rizzo

Inmate Number

16A3374

Mailing address

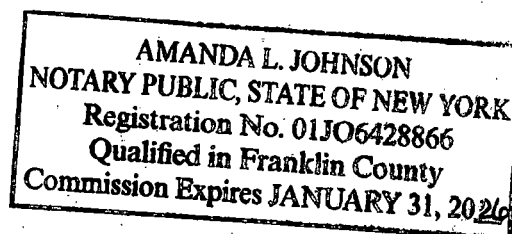
Upstate Correctional Facility
P.O. Box 2001
Malone, NY 12953

I declare under penalty of perjury that on this 28 day of December, 2022, I will deliver this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court of the Northern District of New York.

Signature of Plaintiff: Jonathan
Rizzo

Sworn to Before me This
28 day of December, 2022.

Amanda L. Johnson
NOTARY PUBLIC



UPSTATE CORRECTIONAL FACILITY

P.O. BOX 2001

MALONE, NEW YORK 12953

UPSTATE -

CORRECTIONAL

Upstate



Correctional Facility

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12/29/2022

US POSTAGE

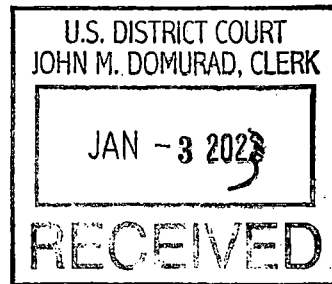
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ZIP 12953
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NAME: Jonathan Rizzo DIN: 16A3371

United States District Court
Northern District of New York
Clerks Office
P.O. Box 7367
100 South Clinton Street
Syracuse, Ny. 13261-7367



(Legal Mail)